

## LABOUR DEPARTMENT

The 30th September, 1967

No. 6463-3Lab-67/27237.—In supersession of Haryana Government Notification Nos. 2301-3Lab-67, dated 21st March, 1967, and 1022-3 Lab-67/2165, dated 6th February, 1967, and in exercise of the powers conferred by Sub-section (1) of section 8 of the Factories Act, 1948 (Act No. 63 of 1948), and all other powers enabling him in this behalf, the Governor of Haryana, is pleased to appoint the following officers of the Labour Department to be Inspectors for the purposes of the said Act, within the local limits specified against each.

Serial. No.	Designation of the Officers	Local limits
1	Deputy Labour Commissioner, Haryana	.. Whole of Haryana State
2	Deputy Chief Inspector of Factories, Haryana	.. Whole of Haryana State
3	Labour Officer Headquarters Haryana, Chandigarh	.. Whole of Haryana State
4	Medical Inspector of Factories, Haryana	.. Whole of Haryana State
5	Labour Inspector Headquarters, Haryana, Chandigarh	.. Whole of Haryana State
6	Labour Officer-Cum-conciliation Officer, Karnal	.. Karnal, Ambala and Jind Districts
7	Labour Officer-Cum-conciliation Officer, Faridabad	.. Gurgaon and Mohendergarh Districts
8	Labour Officer-cum-Conciliation Officer, Bhiwani	.. Hissar and Rohtak Districts
9	Inspector of Factories, Faridabad	.. Gurgaon District
10	Inspector of Factories, Ambala Cantonment	.. Ambala District
11	Inspector of Factories, Rohtak	.. Rohtak and Karnal Districts
12	Inspector of Factories, Bhiwani	.. Hissar, Jind and Mohendergarh Districts
13	Labour Inspector, Yamunanagar	.. Jagadhri tahsil of Ambala District
14	Labour Inspector, Sonapat	.. Sonapat and Bahadurgarh tahsils of Rohtak District
15	Labour Inspector, Rohtak	.. Rohtak District except Sonapat and Bahadurgarh tahsils, and Hissar Tahsil of Hissar District
16	Labour Inspector, Bhiwani	.. Hissar District except Hissar Tahsil
17	Labour Inspector, Faridabad	.. Ballabgarh Tahsil of Gurgaon District
18	Wage Inspector, Gurgaon	.. Gurgaon District except Ballabgarh Tahsil and Mohindergarh District
19	Wage Inspector, Karnal	.. Karnal and Jind Districts
20	Wage Inspector, Ambala	.. Ambala and Naraingarh Tahsils of Ambala District

The 9th October, 1967

No. 9716-3Lab-67/30270.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer Industrial Tribunal, Haryana, Chandigarh in respect of the dispute between the workmen and management of M/s Bhiwani Transport Co., Rohtak.

BEFORE SHRI K. L. GOSAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,  
CHANDIGARH

Reference No. 43 of 1965

*between*

THE WORKMEN AND THE MANAGEMENT OF M/S BHIWANI TRANSPORT, CO., ROHTAK

*Present :*

Shri Ujjagar Singh Sethi and Shri Jaswant Singh Sawhney for the management.  
Shri Shiv Narain Vats, for the workmen.

## AWARD

An Industrial Dispute having come into existence between the workmen and the management of M/s Bhiwani Transport Co., Rohtak over the following two items, the same was referred for adjudication to the Industrial Tribunal, Punjab,—vide Punjab Government Notification No. 233-SF-III-Lab-I-65/11520, dated 13th May, 1965 :—

- (1) Whether the action of the management in terminating the services of Shri Ravel Singh, Clerk is justified and in order? If not to what relief/exact amount he is entitled?
- (2) Whether the workmen are entitled to the grant of bonus for the year 1963-64, If so, what should be the quantum of bonus and terms and conditions of its payment?

The said Tribunal issued usual notices to the parties and in response to the same the workmen filed their statement of claims and the management filed their written statement to the same. While the reference was still pending the Punjab Re-organisation Act, 1966 came into operation and by virtue of Section 93 of the said Act, the case stood transferred to this Tribunal.

During the proceedings of the case it transpired that the Bhiwani Transport Company had been divided into three parts and that Ravel Singh, workman concerned had been allocated to Giani Group which was owned by Giani Santokh Singh. The case of Ravel Singh is that he was not bound by the said division and that he was entitled to relief against the company as such. During the course of the proceedings, however, Ravel Singh entered into an amicable settlement with the other two groups of the company, namely Sethi Group and Sawhney Group and wishes now to have relief only against Giani Santokh Singh who owns the third part of the company namely the Giani Group. The onus of the proof of the fact as to whether the termination of his services was justified was on the management. The workman concerned has himself appeared in the witness box and has stated that his services were terminated without any charge being levelled against him and without any enquiry having been held against him. Although Shri Ujjagar Singh has stated that Ravel Singh left the company of his own accord, I place no reliance on his statement because of the fact that Ravel Singh was at the relevant time serving under Giani Santokh Singh. After giving my careful consideration to the matter I am definitely of the view that the termination of services of the workman concerned was altogether unjustified. The matter which requires consideration, however, is as to what relief can be given to him in the present circumstances. He is already 70 years old and the company in which he was originally serving has since been divided into parts and in these circumstances it is not reasonable now to re-instate him in the service of the company which does not exist as such. I think the best course in the circumstances is to award him reasonable compensation for loss of his service. Taking all the facts and circumstances into consideration I think it will be just and proper that he is paid 4 months salary. He has stated as a witness that his monthly salary was Rs 128 per month and the amount of compensation by calculations, therefore, comes to Rs 512 only. This amount is payable only by the Giani Group of the company and this evidently means that Giani Santokh Singh is liable to pay the same. I, therefore, direct Giani Santokh Singh to pay the said amount to Ravel Singh within a period of one month from the publication of this award in the official gazette.

The second demand relates to the claim of payment of bonus to all the workmen of the company. No evidence has been led by the workmen to prove the said claim. Even such facts as were necessary to be brought on record for the purpose of a finding whether Payment of Bonus Act, 1965 is applicable to the present case, have not been so brought. Ravel Singh has simply stated that all the other employees were paid bonus at the rate of one Month's wages for the year 1963-64 and that he is, therefore, entitled to receive the same. I cannot accept this oral statement as sufficient evidence of the fact that the company paid bonus to other employees. Under the circumstances this demand is dismissed. No order as to costs.

K. L. GOSAIN,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Chandigarh.

29th September, 1967

Endorsement No. 1149, dated Chandigarh, the 30th September, 1967.

The award be submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required by Section 15 of the Industrial Disputes Act, 1947.

K. L. GOSAIN,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Chandigarh.

The 10th October, 1967

**No. 9836-3Lab-67/30128.**—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and management of M/s Eicher Tractors India Ltd., N. I. T., Faridabad.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,  
ROHTAK

Reference No. 24 of 1967

*Between*

The workmen and the management of M/s Eicher Tractors India Ltd. N.I.T., Faridabad.

*Present:*

Shri Hari Chand Munjal claimant with Shri Bhoja Ram.  
Shri S.L. Gupta, for the management.

**AWARD**

The claimant Shri Hari Chand Munjal was working as a Store-keeper with the respondent M/s Eicher Tractor India Ltd., Faridabad. He was dismissed from service because it was alleged that he had charged from a customer a sum of Rs 140 for a spare part costing Rs 87.98 paise. The worker contested the validity of his dismissal and this gave rise to an industrial dispute. The Government of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 read with proviso to that sub-section of the Industrial Disputes Act, 1947 referred the following dispute to this Court for adjudication,—*vide* GOVERNMENT GAZETTE notification No. 118-SF-III-Lab-67, dated 3rd March, 1967:

“Whether the dismissal of Shri Hari Chand Munjal was justified and in order?  
If not, to what relief/exact compensation is he entitled?”

On receipt of this reference notices were issued to the claimant Shri Hari Chand Munjal to file his statement of claim and to the employers to file their rejoinder to the same and they have done so. The claimant in his statement of claim maintains that his dismissal was illegal and unjustified because the allegations of overcharging made against him were incorrect. Further he says that no charge-sheet was given to him, no inquiry was held and nor any opportunity was given to him to refute the allegations levelled against him. He, therefore, prayed that he may be reinstated with full back wages.

The management in their rejoinder raised a preliminary objection that the reference was bad in law because there was no dispute between the workmen and the management of the respondent company. It is urged that there is only an individual dispute between the claimant Shri Hari Chand Munjal and the respondent company and therefore the reference deserves to be quashed on this ground alone. On merits it is pleaded that the claimant was employed in the respondent company as incharge of spare parts store at a salary of Rs 400 P.M. It is alleged that on 20th October, 1966 a customer Shri Ram Sarup came to the spare parts store and asked for an Injector Nozzle with plate for his Eicher Tractor but the claimant Shri Hari Chand Munjal told him that the spare part in question was not in the store and that he should book the order for the spare part and wait for an indefinite period for its supply but in case he wanted the spare part immediately he should approach him through the mechanic Shri Krishan Lal who was also there in the service of the respondent company. It is alleged that the customer then approached the claimant through the said mechanic and the claimant informed him (customer) that the spare part in question could be made available to him for Rs 150 to which the customer agreed and was asked to come on the next day. It is alleged that while going out the customer told the whole story to the gate-keeper who advised him to go ahead with the bargain and get the currency notes marked from him. The customer followed this advice and on the following day purchased the spare part in question for Rs 140 and gave the marked currency notes of the value of Rs 140 to the claimant. The management recovered the marked currency notes of the value of Rs 40 from the mechanic Krishan Lal and Rs 12 were subsequently recovered from a pigeon-hole of the store. A domestic inquiry was held against the claimant regarding this alleged misconduct. He was found guilty and was dismissed from service. My learned predecessor Shri Hans Raj Gupta framed the following issues which arose from the pleadings of the parties :—

1. Whether the claimant Shri Hari Chand has been dismissed by the management after a valid domestic inquiry ?
2. If issue No. 1 is decided against the management whether the dismissal of Shri Hari Chand was justified and in order ?
3. Relief, if any.
4. Whether the present reference is bad in law on the preliminary grounds mentioned in the written statement of the management ?

The evidence of the parties has been recorded and their arguments have been heard. I will first take up issue No. 4 which is of a preliminary nature.

*Issue No. 4.*—It is submitted on behalf of the management that the reference is bad because it is mentioned in the order of reference that there is an industrial dispute between the workmen and the management of M/s Eicher Tractor India Ltd. N.I.T., Faridabad. It is submitted that in fact there is no industrial dispute nor the workmen of the respondent company are in any manner aggrieved by the dismissal of the claimant. So there is no industrial dispute at all and only the claimant Shri Hari Chand Munjal is aggrieved. In my opinion there is no force in this contention. Under section 2-A of the Industrial Disputes Act, 1947, a single worker is now competent to raise an industrial dispute if he feels that his dismissal or discharge from service is uncalled for and the State Government can refer such a dispute for adjudication to the Labour Court. Hence there is no force in this objection and I decided this issue in favour of the claimant.

*Issue No. 1.*—It is submitted on behalf of the management that the claimant was dismissed after a valid domestic inquiry and he has wrongly pleaded that no charge-sheet was given to him nor any inquiry were held against him and that he had no opportunity to show cause as to why he should not be dismissed from service. It is submitted that Shri B.S. Bawa—M.W. 5 has stated in his evidence that a copy of the charge sheet Ex. M/6 was issued to the claimant on 21st October, 1966 at 9.45 A.M. but he refused to accept the same. It is urged that the claimant in evidence has not specifically denied this allegation. It is further submitted that the Inquiry Officer M.W. 6 has stated that before starting the inquiry he read over the charges to the claimant so the claimant knew what the charge against him was before the inquiry was started. It is also urged that the evidence of the witnesses was recorded in the presence of the claimant and the record bears his signatures. It is also urged that claimant had an opportunity to cross-examine the witnesses but he did not avail of it. Under these circumstances it is submitted that the assertion of the claimant that there was no inquiry at all is falsified. No defect in the inquiry has been pointed out by the claimant in his pleadings and he cannot be permitted now to pick holes in the inquiry and raise imaginary defects.

I have carefully considered the submissions of the representative of the management and have gone through the evidence of the Inquiry Officer and in my opinion it would not be safe to uphold the dismissal of the claimant on the basis of the so-called domestic inquiry. The representative of the management conceded before me that the holding of the inquiry could not be delayed because the customer who had made the complaint against the claimant could not be detained. His evidence had to be recorded immediately. It is in evidence of Shri B.S. Bawa M.W. 5, Technical Director of the respondent company, that he received the complaint round about 9.30 A.M. Shri H.N. Singh M.W. 6, the Inquiry Officer, has stated that he started the inquiry at about 10.00 A.M. This means that in half an hour the Inquiry Officer was appointed and charge-sheet was typed out and a copy of the same tendered to the claimant and on his refusal to accept the copy, the inquiry were started. Neither the findings of the Inquiry Officer nor the record of the inquiry shows that a copy of the charge-sheet was tendered to the claimant nor is there any thing on the record to show that the claimant had an opportunity to cross-examine the witnesses. It is pleaded by the representative of the management that the Inquiry Officer was a lay man and he was not aware of the technicalities of the procedure and for this reason did not record in the proceedings that a copy of the charge-sheet was tendered to the claimant which he refused to accept and that the claimant also had an opportunity to cross-examine the witnesses but he did not avail of his right to cross-examine them. I agree with the representative of the management that if the worker knew the substance of the charges levelled against him and had an opportunity to cross-examine the witnesses then the mere fact that the record of the enquiry officer does not specifically mention these facts would not by itself vitiate the inquiry. I also agree with the representative of the management that laymen generally do not know the technicalities of the procedure and some time fail to mention the obvious facts such as the refusal of the worker to cross-examine the witnesses and in order to determine whether the domestic inquiry is fair or not we have to look to the substance and not merely to the form. I have carefully considered the evidence of the Inquiry Officer from this point of view and am of the opinion that the domestic inquiry does not suffer from mere formal defects only. It is clear from the record of the inquiry that the claimant was asked to sign the evidence of the witnesses recorded by the Inquiry Officer. The claimant while signing his name was careful to mention that the testimony of the witness was not correct. This means that it came to the notice of the Inquiry Officer at the time he was holding the inquiry that the claimant was not admitting his guilt nor the correctness of the evidence of the witnesses. If that was so it was the duty of the Inquiry Officer to tell the claimant that he could cross-examine the witness in order to show how the testimony of the witnesses was not correct. He did not do any such thing. In case the claimant did assert his innocence before the inquiry as he

is doing in this Court then he must have said something before him in support of his defence. The report of the Inquiry Officer does not indicate whether the claimant urged anything before him in support of his defence. In fact the report of the Inquiry Officer does not indicate what defence, if any, was raised by the claimant before him. I am, therefore, inclined to believe the assertion of the claimant that in fact he was not heard at all during the course of the domestic inquiry and the findings of the Inquiry Officer only bring out the version of the management and, therefore, the inquiry was only a one-sided affair. Accordingly, I decide this issue in favour of the claimant.

*Issue No. 2.* "As regards the merits of the case I am of the opinion that the misconduct of the claimant is satisfactorily proved by the evidence produced by the management. Shri Ram Sarup, M.W. 1, a customer of the respondent company, completely supports the allegations made against the claimant. He says that on 20th October, 1966, he had come to the respondent company to purchase a nozzle with plate for his Eicher Tractor. He says that he contacted the claimant who was in charge of the stores and told him that he wanted to purchase a nozzle for his tractor but he informed him that the spare part was not available but on his insisting that the nozzle was required immediately, the claimant told him to contact the mechanic Shri Krishan Lal and he did so. The claimant on the intervention of the mechanic Shri Krishan Lal said that he could get the spare part next day on the afternoon at about 4.00 p.m. and he would be charged Rs 150. Shri Ram Sarup says that when he was leaving the factory he narrated the whole story to the clerk at the gate who advised him that he (witness) should get the currency notes signed by him (clerk) before delivering the same to the claimant and accordingly he got his hundred-rupee note signed from the clerk and when he came to the factory again on the next day and got a gate pass prepared he also got his ten-rupee currency notes signed by the clerk and then approached the claimant and at his instance the mechanic Krishan Lal was called. The witness says that the nozzle was then shown to him but as it was without plate he refused to buy it and wanted to go away because a nozzle without a plate was of no use to him but the mechanic Krishan Lal told him that as the seal of the spare part had been broken no other customer would like to purchase it and they would charge him Rs 140 only for the plate and nozzle and accordingly he paid Rs 140 to the claimant who handed over the four currency notes of rupees ten to mechanic Krishan Lal and gave the hundred-rupee currency note to a peon for depositing the price of the spare part in the cash branch. The witness says that after some time the peon came with the cash memo and some balance from the hundred-rupee note which was kept by the claimant and he received the nozzle with the plate. The witness says that being illiterate he did not know the amount for which the cash memo had been prepared and when he arrived at the gate he came to know that the cash memo was for Rs 87.98 paise only. He was then taken before to the manager of the factory to whom he narrated the whole story.

The testimony of this witness receives substantial corroboration from the evidence of Shri Ram Kirpal, Peon, M.W. 4, Shri Balbir Singh, M.W. 3, the Clerk at the gate who issued the gate pass and Shri B. S. Bawa, M.W. 5, the Technical Director of the respondent company. The Peon Shri Ram Kirpal says that on 21st October, 1966, the customer Ram Sarup, M.W., purchased a spare part from the claimant, who gave him a currency note of rupees one hundred with cash memo for depositing the amount in the cash section. The witness further says after depositing the amount he returned the cash memo and also the balance of Rs 12.02 paise which remained on the table in front of the claimant and after leaving the customer the gate pass cash memo and the spare part in the time office he returned to his department. Shri Balbir Singh the clerk at the gate as also Shri B.S. Bawa fully support the case of the management. There is absolutely no reason to believe why all these witnesses should prejure themselves in order to support a false charge against the claimant. The claimant during the course of his arguments submitted that the whole case against him has been engineered at the instance of Mr. Malhotra with whom his relations were strained. In my opinion there is no force in this contention. The claimant does not say why his relations with Shri Malhotra were strained and what influence Shri Malhotra had with Shri Ram Sarup who is an outsider and why should Shri Ram Sarup himself for the purpose of involving the claimant in a false charge. It is submitted by the claimant that the customers are always in need of spare parts and; therefore, they cannot afford to annoy the management of the company and have to support even a false charge. In my opinion there is no substance in this contention either. It has not been shown that the customer Shri Ram Sarup had any previous contact with Shri Malhotra or any other person with whom the relations of the claimant were strained and he for this reason Shri Ram Sarup was picked up to support a false charge against the claimant. The representative of the management has also drawn my attention to the evidence of Shrimati Subhag Wanti, M.W. 1, wife of the mechanic Krishan Lal. She says that on the evening of 21st October, 1966, she came to know that her husband Shri Krishan Lal and the claimant Shri Hari Chand were in police custody. So she came to the gate of

the factory and found that the customer Shri Ram Sarup was sitting on a chair at some distance and she was informed by the Chowkidar that the entire mischief had been done by the customer Ram Sarup. Shrimati Subhag Wanti says that she then had a talk with the customer Shri Ram Sarup, who told her that the claimant Shri Hari Chand had charged him the correct price of the spare part as mentioned in the cash memo but he had concocted a false case against Sarvshri Krishan Lal and Hari Chand at the instance of Mr. Malhotra, the service engineer of the respondent factory, who had enmity with them. In case the evidence of Shrimati Subhag Wanti is correct and the customer Shri Ram Sarup really came out with the truth before her there is absolutely no reason as to why the customer should again support the false case in this Court. The claimant during the course of arguments duly pointed out some minor contradictions in the evidence of the witnesses produced on behalf of the management. In my opinion there are no material contradictions in their evidence and it is satisfactorily established by their evidence that the claimant did try to overcharge customer for the spare part and he was thus guilty of a grave misconduct and it would not be in the interest of justice to order his reinstatement. He should, however, be paid his wages till the date this award is published because he was dismissed from service without holding a proper domestic inquiry. In view of the divided success of the parties, they are left to bear their own costs.

The 25th September, 1967.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak.

No. 1402, dated Rohtak, the 7th October, 1967.

This award is submitted in quadruplicate to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the I.D. Act, 1947.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak.

**No. 9782-3Lab-67/30142.**—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and management of M/s Usha Forging and Stamping Ltd., Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,  
ROHTAK

Reference No. 33 of 1967

*between*

THE WORKMEN AND THE MANAGEMENT OF M/S USHA FORGING AND  
STAMPING LTD., MATHURA ROAD, P O. AMAR NAGAR, FARIDABAD

*Present.*—

Shri Roshan Lal Sharma, for the workmen.

Shri S. L. Gupta, for the management.

**AWARD**

The workmen of M/s Usha Forging and Stamping Ltd., Faridabad, demanded among other things seasonal uniforms. Their demands were not acceded to and this gave rise to an industrial dispute and the Government of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 read with proviso to that sub-section of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication, —vide gazette notification No. 163-SF-III-Lab-67, dated 21st March, 1967 :—

Whether the workmen should be provided with seasonal uniforms ? If so, with what details and from what dates ?

On receipt of the reference notices were issued to the workmen to file their statement of claim and to the management to file their written statement. During the course of proceedings a settlement has been arrived at between the parties. As many as 50 workers have filed a written petition by which they have withdrawn their demand for seasonal uniforms. Their representative Shri Roshan Lal Sharma, President of the General Labour Union, Faridabad, has also made a statement that in view of the written request of the workers withdrawing their demand he had nothing more to say in the matter and he did not press this reference.



Since the workers have not produced any evidence in support of their demand I hold that they are not entitled to be provided with seasonal uniforms. No order as to costs.

Camp : Ballabgarh.  
Dated : 28th September, 1967.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak.

No. 1337, dated 4th October, 1967.

The award in quadruplicate is submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak.

**No. 9734-3Lab-67/30149.**—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer Labour Court, Rohtak, in respect of the dispute between the workmen and management of M/S Bharat Cycle Industries, Sonapat.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,  
ROHTAK

Reference No. 48 of 1967

between

THE WORKMEN AND THE MANAGEMENT OF M/S BHARAT CYCLE INDUSTRIES, SONEPAT.

*Present.* Nemo for the workman.  
Nemo for the management.

AWARD

Shri Romesh Lal claimant was in the service of M/S Bharat Cycle Industries, Sonapat. His services were dispensed with and this raised an industrial dispute. The Government of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 read with proviso to that sub-section of the Industrial Disputes Act, 1947 referred the following dispute to this Court for adjudication,—*vide* gazette notification No. 244-SFIII-Lab-67/18019, dated 26th June, 1967:

Whether the termination of services of Shri Romesh Lal is justified and in order  
If not, to what relief is he entitled?

On receipt of this reference notices under registered cover acknowledgement due were issued to the parties for 22nd August, 1967. On the date fixed neither party was present. A letter was, however, received from M/S Bharat Cycle Industries, Sonapat intimating that the claimant Shri Romesh Lal had been paid off. A stamped receipt given by the claimant was also enclosed with the letter. Since the claimant Shri Romesh Lal had raised this dispute through the General Workers Union, Sonapat an opportunity was given to the Secretary of the union to contact the claimant and ascertain whether the claimant had in fact been paid off. It was also ordered to issue fresh notices again to the parties for 13th September, 1967. On the date fixed Shri Chhajju Mal Vaid, Secretary of the General Workers Union, Sonapat made a statement that he tried to contact the claimant but he had not received any instruction from him. It is thus obvious that the claimant is no longer interested in pursuing his claim and it appears that he has in fact been paid off as intimated by the respondents. Since the claimant has not appeared and has not led any evidence in support of his claim, it is not possible to hold that his services have been wrongfully terminated and he is not entitled to any relief. No order as to costs.

Camp: Sonapat  
Dated: 13th September, 1967.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak.

No. 1334, dated 4th October, 1967.

The award is submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak.